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NEW DELHI, THURSDAY, JUNE 5, 1980/JYAISTHA 15, 1902

इस भाग में अलग पृष्ठ संलग्न की जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके।

Separate paging is given to this Part in order that it may be filed
as a separate compilation

MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS (Legislative Department)

New Delhi, the 5th June, 1980|Jyaistha 15, 1902 (Saka)

THE CODE OF CRIMINAL PROCEDURE (ASSAM) AMENDMENT ORDINANCE, 1980

No. 9 OF 1980

Promulgated by the President in the Thirty-first
Year of the Republic of India.

An Ordinance further to amend the Code of Criminal Procedure,
1973, in its application to the State of Assam.

WHEREAS by a Proclamation issued on the 12th day of December, 1979,
by the President under article 356 of the Constitution, the powers of the
Legislature of the State of Assam have been declared to be exercisable
by or under the authority of Parliament;

AND WHEREAS Parliament is not in session and the President is satisfied
that circumstances exist which render it necessary for him to take
immediate action;

Now, THEREFORE, in exercise of the powers conferred by clause (1)
of article 123 of the Constitution and of all other powers enabling him in

that behalf, the President is pleased to promulgate the following Ordinance:—

Short title; extent and commencement.

Act 2 of 1974 to be amended temporarily.

Amendment of section 45.

Amendment of section 197.

1. (1) This Ordinance may be called the Code of Criminal Procedure (Assam) Amendment Ordinance, 1980.

(2) It extends to the whole of the State of Assam.

(3) It shall come into force at once.

2. During the period of operation of this Ordinance, the Code of Criminal Procedure, 1973, in its application to the State of Assam (hereinafter referred to as the principal Act), shall have effect subject to the amendments specified in sections 3 and 4.

3. In the principal Act, for sub-section (2) of section 45, the following sub-section shall be substituted, namely:—

'(2) The State Government may, by notification, direct that the provisions of sub-section (1) shall apply—

(a) to such class or category of the members of the Forces charged with the maintenance of public order, or

(b) to such class or category of other public servants [not being persons to whom the provisions of sub-section (1) apply] charged with the maintenance of public order,

as may be specified in the notification, wherever they may be serving, and thereupon the provisions of that sub-section shall apply as if for the expression "Central Government" occurring therein, the expression "State Government" were substituted.'

4. In the principal Act, for sub-section (3) of section 197, the following sub-section shall be substituted, namely:—

'(3) The State Government may, by notification, direct that the provisions of sub-section (2) shall apply—

(a) to such class or category of the members of the Forces charged with the maintenance of public order, or

(b) to such class or category of other public servants [not being persons to whom the provisions of sub-section (1) or sub-section (2) apply] charged with the maintenance of public order,

as may be specified in the notification, wherever they may be serving, and thereupon the provisions of sub-section (2) shall apply as if for the expression "Central Government" occurring therein, the expression "State Government" were substituted.'

N. SANJIVA REDDY,
President.

R. V. S. PERI SASTRI
Secy. to the Govt. of India.

CORRIGENDA

In the Banking Companies (Acquisition and Transfer of Undertakings) Ordinance, 1980 (3 of 1980), as published in the Gazette of India, Extraordinary, Part II, Section 1, dated the 15th April, 1980,—

- (a) at page 193, in line 5 from bottom, for "in satisfied" read "is satisfied";
 - (b) at page 197, in line 14, for "securities" read "securities";
 - (c) at page 200, in line 4, for "person" read "persons".
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In the Essential Services Maintenance (Maharashtra) Ordinance, 1980 (6 of 1980), as published in the Gazette of India, Extraordinary, Part II, Section 1, dated the 12th May, 1980,—

- (a) at page 226, in line 28, for "cassation" read "cessation";
- (b) at page 227, in line 25, for "relate" read "relates".

